

THE HONORABLE JUDGE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD L. AHEARN, Regional Director)	
of the Nineteenth Region of the National)	
Labor Relations Board, for and on behalf of)	
the NATIONAL LABOR RELATIONS)	
BOARD)	
)	
Petitioner,)	Civil No. CV06-0690
)	
v.)	STIPULATION AND ORDER
)	INDEFINITELY POSTPONING CASE
FIRST TRANSIT, INC.)	
)	
Respondent.)	

RONALD MEISBURG, General Counsel
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Region 19
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Region 19

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THE HONORABLE JUDGE JOHN C. COUGHENOUR
UNITED STATES DISTRICT JUDGE

STIPULATION AND ORDER INDEFINITELY POSTPONING CASE
UNDER 29 U.S.C. SECTION 160(j)

IT IS HEREBY STIPULATED AND AGREED by and between the Petitioner, Richard L. Ahearn, Regional Director of the Nineteenth Region of the National Labor Relations Board, for and on behalf of the National Labor Relations Board ("the Board") and the Respondent, First Transit, Inc., by their respective attorneys and subject to approval of the Court, that:

1. On May 22, 2006, after securing authorization from the Board, the Petitioner, for and on behalf of the Board, filed a Petition with this Court pursuant to Section 10(j) of the National Labor Relations Act, 29 U.S.C. Section 160(j), seeking a temporary injunction against Respondent, pending the final administrative disposition of certain unfair labor practice charges now pending before the Board, from violating Section 8(a)(1)[, (3) and (5)] of the Act, 29 U.S.C. Section 158(a)(1)[,(3) and (5)].

2. In consideration of Respondent entering into a Formal Settlement Stipulation, attached herein as Appendix 1, Petitioner agrees that this Petition and accompanying memorandum noted for consideration on June 16, 2006, shall be postponed indefinitely and that this cause of action shall be placed on the Court's inactive docket, pending the issuance of the Board's Order in NLRB Cases 19-CA-29622, 19-CA-29708 and 19-CA-30032, pursuant to the Formal Settlement Stipulation.

3. After the issuance of the Board's Order in NLRB Cases 19-CA-29622, 19-CA-29708 and 19-CA-30032, Petitioner shall cause this proceeding to be dismissed with prejudice and without costs to either party.

Irene Hartzell Botero
NLRB Region 19
Counsel for Petitioner

James Shore
Counsel for Respondent
By Irene Hartzell Botero with permission
from James Shore

Stoel Rives, LLP
600 University Street, Suite 3600
Seattle, Washington 98010-3197

Dated at Seattle, Washington
This 12th day of June 2006

MINUTE ORDER

The following Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

The Stipulation agreed to between the Petitioner, Richard L. Ahearn, Regional Director of Region 19 of the National Labor Relations Board and Respondent, First Transit, Inc., is hereby approved, therefore, it is ORDERED that:

(1) service of a copy of this Order by made forthwith by an individual employed by or designated by the National Labor Relations Board to perform service and not a party in this proceeding, in any manner provided in the Federal Rules of Civil Procedure, and that proof of such service be filed herein;

(2) Petitioner's petition for injunctive relief (and accompanying memorandum) shall be postponed indefinitely and this cause of action shall be placed on this Court's inactive docket, pending the issuance of the Board's Order in NLRB Cases 19-CA-29622, 19-CA-29708 and 19-CA-30032;

(3) Petitioner will notify the Court within ten days of the issuance of the Board's Order in NLRB Cases 19-CA-29622, 19-CA29708 and 19-CA-30032, and the Petitioner's petition for injunctive relief will be dismissed with prejudice and without costs to either party.

The parties are directed to otherwise comply with the Federal Rules of Civil Procedure and the Local Rules for the Western District of Washington. This case shall be removed from the Court's active caseload.

DATED this 29th day of June, 2006

A handwritten signature in black ink, appearing to read "John C. Coyle", written over a horizontal line.

UNITED STATES DISTRICT JUDGE